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WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE
GRANTING OF INDEPENDENCE TO
COLONIAL COUNTRIES AND PEOPLES

EAST TIMOR

Working paper prepared by the Secretariat

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EAST TIMOR

I. GENERAL

1. The Territory of East Timor comprises the eastern part of the island of Timor, which is located at the tip of the chain of islands forming the Republic of Indonesia; the enclave of Oecusse Ambeno; the island of Atauro, off the northern coast of Timor; and the island of Jaco, off its extreme eastern tip. It lies between latitudes 8°17'S and 10°22'S and longitudes 123°25'E and 127°19'E. According to the 1980 census, the total population of the Territory was 555,350; in 1991, it was estimated at 752,000. 1/

II. CONSIDERATION BY THE UNITED NATIONS 2/

A. General Assembly and other United Nations bodies

2. Between 1961 and 1982, the General Assembly annually reviewed the question of East Timor and adopted resolutions on the basis of the reports submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 3/ Since its 38th session, the General Assembly has deferred consideration of the item. 4/

3. Since 1977, the Government of Portugal, in its capacity as administering Power of East Timor, has annually informed the Secretary-General that owing to conditions prevailing in the Territory, namely the presence of armed forces of the Republic of Indonesia, it has been de facto prevented from transmitting any information concerning East Timor under Article 73 e of the Charter of the United Nations. 5/ In a note verbale dated 20 June 1994 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General (A/49/184), Portugal drew the attention of the Secretary-General to certain points regarding the situation in the Territory where, it said, in general no improvement had been reported in spite of pledges made by the Indonesian authorities.

4. At its thirty-seventh session, by its resolution 37/30 of 23 November 1982, the General Assembly requested the Secretary-General to initiate consultations with all parties directly concerned, with a view to exploring avenues for achieving a comprehensive settlement of the problem, and to report to the Assembly at its thirty-eighth session. The Assembly requested the Special Committee to keep the situation in the Territory under active consideration and to render all assistance to the Secretary-General to facilitate implementation of the resolution.

5. Since 1983, the Secretary-General has kept the General Assembly regularly apprised of developments related to the exercise of his good offices. 6/ In his most recent progress report, submitted to the General Assembly at its forty-eighth session (A/48/418), the Secretary-General recalled that with regard to the search for a comprehensive and internationally acceptable solution to the question of East Timor, he had invited the Ministers for Foreign Affairs of

Indonesia and Portugal to hold informal consultations under his auspices and without preconditions with the object of arriving at a mutually acceptable format for resuming substantive discussions on the matter. The informal talks were held in New York on 26 September 1992 and resulted in an agreement to hold substantive discussions at the level of Foreign Ministers. Since then, he had held three rounds of substantive discussions with the Ministers for Foreign Affairs of Indonesia and Portugal, in New York on 17 December 1992, in Rome on 21 April 1993 and in New York on 17 September 1993 (for information on the fourth round of talks held at Geneva on 6 May 1994, see paras. 18-26 below). While it yet had proved difficult to make progress on the core question, owing to the wide difference in the positions of the two sides, he was moderately encouraged by the substance and tone of the most recent discussions and was hopeful that, with patience and the continued cooperation of the parties, it would be possible to build on these initial steps and that the process would bear further results.

6. During the general debate at the forty-eighth session of the General Assembly, the representatives of Angola, Cape Verde, Guinea-Bissau, Mozambique and Portugal referred to the question of East Timor in their statements (A/48/PV.5, 7, 11 and 15.)

7. In statements before the Third Committee, Canada, Finland, Belgium (on behalf of the European Union) and Sweden made references to the question of East Timor.

8. In the general debate in the Fourth Committee, several representatives made references to the question of East Timor under the agenda item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples": Brazil, Belgium (on behalf of the European Community) (A/C.4/48/SR.4); Chile (on behalf of the Rio Group) (A/C.4/48/SR.5); and Nigeria (A/C.4/48/SR.6).

9. Under the mandate entrusted to it and renewed annually by the General Assembly, the Special Committee continued its review of the question of East Timor at its 1993 session. The Special Committee considered the question at its 1418th through 1420th meetings, on 13 and 14 July. During those meetings, the Committee heard statements by the representatives of Tunisia (A/AC.109/PV.1418 and 1419), Portugal, as the administering Power (A/AC.109/PV.1419 and 1420), Sao Tome and Principe (on behalf also of Angola, Cape Verde, Guinea-Bissau, and Mozambique) (A/AC.109/PV.1420) and Indonesia (A/AC.109/PV.1420), as well as 21 petitioners (A/AC.109/PV.1418 and 1419).

10. At its 1420th meeting, on 14 July, the Special Committee decided to continue consideration of the item at its 1994 session, subject to any directives which the General Assembly might give in that connection at its forty-eighth session (A/AC.109/PV.1420).

11. On 20 August 1993, the United Nations Subcommission for the Prevention of Discrimination and Protection of Minorities adopted resolution 1993/12 on East Timor by a vote 13 to 10 with 2 abstentions. 7/ By that resolution, the Subcommission expressed its deepest concern at reports of continuing violations of human rights in East Timor; noted with satisfaction the recent lifting of

restrictions imposed upon the activities of the International Committee of the Red Cross (ICRC); and urged the Indonesian authorities to implement fully the decisions of the Commission on Human Rights at its forty-eighth and forty-ninth sessions; and to honour the provisions of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, regarding the prohibitions on removing prisoners from their original place of residence.

12. The question of East Timor was subsequently discussed by the Commission on Human Rights at its fiftieth session held in February and March 1994. The Commission had before it reports by its Special Rapporteurs on the questions of torture 8/ and of extrajudicial, summary or arbitrary executions 9/ as well as reports by its Working Groups on Arbitrary Detention 10/ and on Enforced or Involuntary Disappearances. 11/ The Commission also had before it the report on the situation in East Timor submitted by the Secretary-General 12/ pursuant to resolution 1993/97 adopted at the previous session.

13. On 9 March 1994, the Commission unanimously adopted a statement by its Chairman 13/ in which it noted with concern continuing allegations of human rights violations in East Timor while recognizing the positive measures taken by the Government of Indonesia to improve the situation. The Commission said it was preoccupied by the incomplete information concerning the number of people killed and the persons still unaccounted for as a result of the violent incident which took place in Dili in 1991. While acknowledging the efforts made by Indonesia to account for those persons, the Commission called upon Indonesia to continue its investigation of those still missing and the circumstances surrounding the matter. The Commission further expressed the hope that cooperation between ICRC and Indonesia would continue and called upon the Indonesian authorities to ensure that East Timorese in custody were treated humanely and that their rights were fully respected and to take further appropriate measures aimed at the early release of those convicted. The Commission said it was encouraged by the greater access recently granted by Indonesia to human rights and humanitarian organizations as well as to international media and called upon Indonesia to continue this policy of expanding access; welcomed the undertaking by Indonesia to invite the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions to visit East Timor; took note of Indonesia's intention to continue to cooperate with other relevant thematic special rapporteurs and/or working groups; and welcomed the dialogue between Indonesia and Portugal under the auspices of the Secretary-General. It encouraged the Secretary-General to continue his good offices in order to achieve a just, comprehensive and internationally acceptable settlement to the question.

B. Communications related to the question

14. Communications related to the question of East Timor included inter alia:

- Letter dated 28 July 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General transmitting the text of a letter on the Pacific Regional Seminar held by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of

Independence to Colonial Countries and Peoples in Port Moresby, Papua New Guinea from 8 to 10 June 1993, and a statement made by the delegation of Portugal to that Seminar (A/48/282);

- Letter dated 4 August 1993 from Brazil addressed to the Secretary General transmitting the final document of the third Ibero-American Summit of Heads of State and Government, held at Salvador, Brazil, on 15 and 16 July 1993 (A/48/291-S/26242);

- Letter dated 2 March 1994 from Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal and Sao Tome and Principe, transmitting a joint communique of the First Meeting of the Ministers for Foreign Affairs and External Relations of the Portuguese-speaking Countries, held at Brasilia, Brazil, on 9 and 10 February 1994 (A/49/87-S/1994/263).

- Note verbale dated 20 June 1994 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General (A/49/184) concerning the information transmitted under Article 73 e of the Charter of the United Nations and the situation prevailing in the Territory.

III. POLITICAL DEVELOPMENTS

Background

15. According to Indonesian Law 7/76 of 17 July 1976, East Timor is a province or a "first-level region" of Indonesia with a Government consisting of a "Regional Secretariat" and a "Regional House of Representatives". East Timor is represented in the National House of Representatives and in the People's Consultative Assembly of Indonesia.

16. By its resolution 32/34 of 28 November 1977, the General Assembly rejected the claim that East Timor had been integrated into Indonesia, inasmuch as the people of the Territory had not been able to exercise freely their right to self-determination and independence.

17. The current "Governor", Mr. Abilio José Osório Soares, was elected by the East Timor "House of Representatives" in 1992. "Governor" Soares is reported to be a staunch supporter of Indonesia's take-over of the Territory.

18. In an interview with The Jakarta Post (10 July 1993), "Governor" Soares said that after 17 years the people of East Timor had not fully grasped the essence of integration. "If we had fully embodied the aims and objectives of integration, I don't think we would have had the problems and upheavals that we have experienced over the last 17 years", he said. The "Governor" added that he did not see any problems in the relations between the Roman Catholic Church, the provincial Government and the military, the three forces that counted the most in East Timor.

Fourth Round of Talks

19. In January 1994, Mr. Francesc Vendrell, a representative of the Secretary-General, visited Portugal, Indonesia, East Timor and Australia to help prepare the forthcoming meeting between the Foreign Ministers of Indonesia and Portugal and the Secretary-General scheduled for May. According to a Reuters report of 18 January, Mr. Vendrell met with Portuguese officials, Timorese exiles in Portugal, the Minister for Foreign Affairs of Indonesia, Mr. Ali Alatas, and State Secretary Moerdino. He also met with Mr. José Alexandre "Xanana" Gusmão, leader of the National Council of the Maubere Resistance who is in jail in Indonesia and Mr. José Ramos-Horta, joint chairman of the National Council of Maubere Resistance in Australia.

20. On 6 May 1994, at Geneva, the Secretary-General held a fourth round of talks with the Ministers for Foreign Affairs of Portugal and Indonesia in the context of the ongoing efforts under his auspices to seek a just, comprehensive and internationally acceptable settlement to the question of East Timor. A statement issued by the Secretary-General's spokesperson said the discussions focused on confidence-building measures aimed at fostering an atmosphere propitious to addressing the substance of the question. 13/ The statement stressed the following points:

(a) The Secretary-General welcomed the positive atmosphere in which the talks were held as well as the restraint displayed by both sides at international forums, which had made possible the adoption by consensus of the Chairman's statement at the fiftieth session of the Human Rights Commission;

(b) The meeting took note of the Indonesian Government's intention to continue its investigation to account fully for the persons dead or missing as a result of the violent incident in Dili on 12 December 1991;

(c) The Secretary-General was encouraged by the increased access to East Timor by the United Nations and by human rights and humanitarian organizations and journalists as well as by the exchange of visits to East Timor and Portugal by East Timorese living abroad and in East Timor, respectively. The Minister for Foreign Affairs agreed that such access and visits should be continued and further expanded;

(d) The Ministers for Foreign Affairs concurred on the need to ensure humane treatment of and full respect for the rights of East Timorese in custody as well as on the need to ensure that further appropriate measures were taken for their early release;

(e) The invitation of the Indonesian Government to the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions of the Commission on Human Rights to visit East Timor in June 1994 was welcomed. It was deemed important that the Government of Indonesia continue to cooperate with other relevant thematic special rapporteurs and/or working groups of the Commission and that they be invited to visit East Timor whenever necessary for the fulfilment of their duties;

(f) The Secretary-General believed that the dialogue among East Timorese should be encouraged and noted that he would explore ways of facilitating an all-inclusive intra-Timorese dialogue. The Ministers for Foreign Affairs of Portugal and Indonesia indicated their readiness to meet with both supporters and opponents of integration with Indonesia, respectively;

(g) The Ministers requested the Secretary-General to identify a series of issues to be considered in advance of the next round of talks, including possible avenues towards achieving a just, comprehensive and internationally acceptable solution.

21. A fifth meeting between the Secretary-General and the Foreign Ministers was scheduled for January 1995.

Other developments

22. The arrest, trial and sentencing of Mr. José Alexandre "Xanana" Gusmão, leader of the National Council of the Maubere Resistance and long the symbol of resistance to Indonesian rule, were reported in the previous paper prepared by the Special Committee (see A/AC.1154, sect. IV). It will be recalled that Mr. Gusmão was captured on 20 November 1992 by Indonesian soldiers on the outskirts of Dili, moved to Bali for interrogation and put on trial on 1 February 1993 at Dili. He was charged with (a) seeking to separate a part of the national Territory from the authority of the State; (b) leading an armed rebellion against the Indonesian State; (c) conspiring to commit the crimes referred to above; and (d) unauthorized possession of firearms which carries a maximum penalty of death. On 21 May 1993, having been found guilty on all counts, Mr. Gusmão was sentenced to life imprisonment.

23. On 14 August 1993, Indonesian President Soeharto reduced Mr. Gusmão's sentence from life to 20 years and also reduced the sentences of several other East Timorese who had been convicted of participating in the events in Dili in 1991. 16/ President Soeharto's decision was said to be "based on the consideration that Xanana has acknowledged his mistakes and has accepted East Timor's integration into Indonesia" and had asked for clemency.

24. It was reported in January 1994 that in a letter to the International Commission of Jurists which was smuggled out of jail, Mr. Gusmão repudiated President Soeharto's assertion that he had asked for clemency and appealed for a campaign for the annulment of his trial and the appointment of a Portuguese lawyer to act on his behalf. 16/ Mr. Gusmão said that his Indonesian-appointed lawyer had colluded against him with Indonesian authorities.

25. The Department of State of the United States, in its annual report on human rights, stated that, while the conduct of Xanana's trial appeared to violate several provisions of the Criminal Procedures Code and while he may not have freely chosen his defence attorney, he had none the less been represented by an able group of lawyers who conducted a vigorous defence on his behalf. 17/

26. In October 1993, the then Military Commander of the Eastern Command which includes East Timor, Major-General Theo Syafei, announced that because of the improved security situation, two combat battalions would be withdrawn from East

Timor the following month. 18/ He is reported to have acknowledged that the move was in response to foreign criticism that Indonesia's heavy military presence had led to widespread human rights violations. 19/

27. In November 1993, Indonesian military officials stated that only one combat battalion of about 650 men and seven battalions engaged in development projects remained in East Timor, or a total of about 5,000 troops. 20/ The United States country report on human rights for 1993 21/ said that, although the Indonesian armed forces had made several public pledges in 1993 to reduce by stages the number of troops in East Timor, by early December the status of this pullout was not clear. The report further noted that in April 1993, the Special Operational Military Command for East Timor had been disbanded and replaced with a command structure similar to that in the 26 provinces of Indonesia. The composition of troops had been reportedly changed to emphasize civic action over combat missions, although civic action troops also carried weapons and conducted patrols. The report characterized these changes as largely cosmetic and said that most sources in East Timor continued to report an oppressive military presence.

28. In February 1994, it was announced that Major-General Syafei had been replaced as military commander of the Eastern Command by Major-General Adang Ruchiatna Puradiredja. 22/

29. Also in February 1994, foreign journalists were allowed to visit East Timor for the first time in nine months. According to Reuters, the group, consisting of nine Jakarta-based correspondents, was accompanied by an official from the Indonesian Foreign Ministry and observed by local plainclothes security officials. Speaking to the group on 19 February, military commanders, including General Adang, said that the war in East Timor was no longer between Indonesia and the Frente Revolucionária de Timor Leste Independente (FRETILIN), which numbered less than 200 men, but against poverty and lingering resentment of Jakarta's rule. The military presence was necessary to assist the Government's development programme. 23/

30. Reuters, in reporting the remarks of the military, added that local residents had said that Indonesian officials were hostile to the Timorese population and that harassment, detention and torture remained part of everyday life.

31. A second group of 25 journalists was allowed to visit East Timor under escort in April. Reporting in The Guardian, of 16 April 1994, one journalist wrote that the "ruthless control apparatus built up by Indonesia since ... (1975)" was still operating and that there was "a climate of terror, of threats, of war". He said that when interviewed, the local military commander evaded answering directly when the military presence might be terminated, replying only that the situation was not stable. The commander was quoted as saying that although FRETILIN hardly posed a military threat and clashes between Indonesian troops and the guerrillas were reduced to about one a month, the Fretilin members who remained active in the Territory were the hard-core nucleus of the movement. The correspondent for The Times (London), in an article dated 16 April 1994 stated that there was a pervasive security apparatus with Indonesian soldiers barracks on almost every street and spies and informers

everywhere. There was little, he said, that could prepare one for the barely concealed hysteria of life in East Timor which had the feel of a vast prison. The article quoted Florentino Sarmentok, Director of the East Timor Association for Development and Progress who is also a member of Golkar, the Indonesian ruling party, as saying that the situation was worse than it had been under (Portuguese) colonialism ... "now we are considered a mere province of Indonesia and government rule has been reduced to military occupation".

32. The Guardian reported that five students demonstrated briefly in front of the hotel where the journalists were staying, shouting "Long live East Timor" and waving banners with slogans supporting Xanana until police appeared. The Guardian said the demonstration was a rare show of defiance as the Indonesian armed forces habitually applied stringent controls to pre-empt any display of opposition. Another student demonstration was held in front of a church the following day and protests were also voiced by prisoners in the Dili jail which the journalists visited with their escort.

33. On 23 May 1994, Indonesia announced that six East Timorese had been detained for questioning in connection with the demonstrations. 24/ East Timorese sources were reported to have said that a total of 12 persons had been detained in East Timor and Indonesia, but did not identify them or specify the charges. It was not clear whether the 12 included four East Timorese who were allegedly detained in Jakarta on 30 April in connection with the killing of a commander of the presidential guard. In a statement on 24 May, 25/ Amnesty International said that "the arrests ... are consistent with a long-standing pattern of short-term detention and ill-treatment of real and alleged political opponents of Indonesian rule". Amnesty reported that one of 12 detainees had been released.

34. On 13 June, it was reported that six prisoners who had voiced protests to foreign journalists in April (see para. 39 above) had been moved from Dili to a prison in East Java. The six are serving sentences varying from five years to life for their non-violent participation in the march to the Santa Cruz cemetery in Dili in 1991.

35. On 24 June 1994, it was reported that Indonesia had sentenced three East Timorese students to 20 months in jail each for staging a demonstration, and in particular, for expressing anti-Indonesian sentiments in front of visiting foreign journalists on 14 April.

36. In May 1994, the Government of the Philippines decided to deny visas to or withdraw visas from non-Filipinos invited to participate in a conference on East Timor that was originally to have been attended by academics and representatives of non-governmental groups from 15 countries, including Danielle Mitterand, wife of the President of France, and Mairead Maguire of Ireland, 26/ who had received the Nobel Peace Prize. Ms. Maguire was expelled from the country. The Government said that under the freedom of speech provisions of the Philippine Constitution it could not prevent the conference from being held as Indonesia had requested. 27/

IV. HUMAN RIGHTS SITUATION

37. A member of the United Nations Commission on Human Rights since 1991, Indonesia has repeatedly affirmed its commitment to international human rights principles.

38. In May 1994, at the meeting at Geneva with the Secretary-General and Portugal, the Minister for Foreign Affairs of Indonesia presented an aide-mémoire to the Secretary-General which stated that since the capture and trial of Xanana, there had been an overall improvement in security in East Timor and consequently in the human rights situation as manifested by greater freedom of movement of people to and from the "province", greater personal safety and more tolerance for dissent.

39. As an example of its more liberal policies, Indonesia said it had granted permission to 59 East Timorese to leave for Portugal within an "expanded family reunion" programme and allowed seven young men who had tried earlier to seek asylum at foreign embassies in Jakarta, to leave for Portugal on 29 December 1993. Also, requests from a number of East Timorese currently residing in Portugal and Angola to return to Indonesia to live had been approved.

40. On the question of persons unaccounted for after the incident of 12 November 1991, Indonesia was continuing to search for the missing persons albeit with limited success. As at 17 September 1993, only 57 persons were unaccounted for. Subsequently, another person listed as missing reported to the authorities in East Timor, reducing the number unaccounted for to 56.

41. The aide-mémoire to the Secretary-General stated that a more conducive atmosphere for the promotion and protection of human rights throughout Indonesia had resulted from the establishment of the National Commission on Human Rights on 7 June 1993; all 25 members of the Commission had been appointed, one of whom was Timorese.

42. As regards access to East Timor by the United Nations and humanitarian and human rights organizations, the aide-mémoire noted that misunderstandings and miscommunications with ICRC had been sorted out in September 1993, allowing protection visits to prisoners, including Xanana, to proceed smoothly; Xanana had been seen most recently on 2 April 1994. Under the ICRC protection programme, it was also noted, ICRC could visit East Timorese prisoners wherever they were held, whether in East Timor, Kupang or Jakarta. The aide-mémoire further noted that the two representatives of the Secretary-General who had visited East Timor from 19 to 23 January 1994 had been allowed complete freedom of movement. In addition to the foregoing, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions was expected to visit East Timor in June 1994.

43. With respect to the agreement of 17 September 1993 to continue to promote a balanced exchange of visits of journalists and personalities from Indonesia and Portugal, the aide-mémoire to the Secretary-General reported that visits to East Timor had been made by (a) the chairman of a newly-established Portugal-Indonesia Friendship Association (4-21 January 1994); (b) Dr. Manuel Tilman, an

East Timorese lawyer from Macao who was also a member of the "International Platform of Jurists for East Timor"; (c) a group of nine correspondents/foreign media representatives (15-18 February 1994) (see para. 36 above); and (d) 25 foreign journalists representing 16 print and electronic media organizations in various countries (12-15 April 1994) (see para. 38 above).

44. Amnesty International, in a report entitled Indonesia and East Timor: Fact and Fiction of 16 February 1994, reviewing Indonesia's implementation of resolution 1993/97 of 11 March 1993 of the Commission on Human Rights, said that the Government had taken a number of initiatives in support of human rights since late 1991 but that they seemed to be principally aimed at improving Indonesia's image internationally rather than at squarely addressing the root causes of the problem.

45. Amnesty International noted that since the Santa Cruz incident, at least 400 Timorese had been detained without charges for periods ranging from a few days to several months and that many had been denied access to their relatives, lawyers and ICRC. Some had also been required to undergo "political guidance" while in military custody and to swear oaths of allegiance to the Indonesian Government as a condition of their release. In addition to those held without charge, some 20 East Timorese were serving sentences of up to life imprisonment for subversion and other political crimes, including three men who had been in detention since 1984.

46. As regards the treatment of Xanana in prison, Amnesty International said that in early January 1994, Indonesia had temporarily suspended ICRC and family visits to him after it was discovered that he had written letters to the International Commission of Jurists and to the Government of Portugal. Following protests from Indonesian human rights organizations, the ban on visits was lifted on 9 February 1994. However, Xanana was still prevented from meeting Indonesian legal aid lawyers.

47. Amnesty International acknowledged that over the past two years there had been progress with respect to improving access to East Timor by human rights and humanitarian organizations: East Timor was now more open to outsiders than at any other time since 1975. Nevertheless, in the past year, military authorities had continued to impose unacceptable conditions on the work of ICRC, closely to monitor visits by foreign delegations and journalists and to restrict access by international human rights organizations. Just as importantly, the Government - and in particular the military - had continued to restrict the activities of domestic human rights activists and journalists. In June 1993, ICRC had suspended visits to political prisoners in East Timor for the third time in six months because of unacceptable restrictions imposed by the military. Since then, however, the organization had been able to work without undue interference. It was another positive sign that a number of government and parliamentary delegations had been granted permission to visit East Timor in the past two years, but such visits continued to be tightly controlled: ordinary Timorese who spoke to foreign delegates were likely to be detained for questioning. Amnesty International considered that the Government had also taken a more positive attitude towards the work of United Nations officials and bodies concerned with East Timor.

48. According to the 1993 annual report on human rights of the United States Department of State, 28/ in areas where there were active guerrilla movements such as East Timor, people were still routinely detained for short periods without warrants, charges or court proceedings and that bail was rarely granted, especially in political cases. Also, authorities frequently interfered with access to defence counsel. After their release, people were required to report daily or weekly to the police and there were credible reports of scores of people being detained without charges at various times during the year for enforced "civics training" in areas outside the capital. This particularly occurred during the visits of prominent guests, such as Amos Wako, the Personal Envoy of the Secretary-General and the visits during August and September of two United States Congressional staff delegations. Two former leaders of the armed East Timorese resistance, Jose "Mauhudu" da Costa and Antonio Gomes "Mauhunu" da Costa, remained under tight military control in 1993 although no charges had been formally filed against either. Mauhudu was arrested in January 1992 and Mauhunu in April 1993. They were in East Timor during the period August through September making speeches on the merits of integration with Indonesia. Despite public announcements that they had been granted an "amnesty", and were therefore "free", they were required to spend each night at the homes of military officers.

V. ECONOMIC AND SOCIAL CONDITIONS

49. In the absence of information submitted by the administering Power under Article 73 e of the Charter for reasons explained in paragraph 3 above, the material in the present section has been derived from other sources.

50. According to a statement by the "Governor" of East Timor to a plenary session of the East Timor provincial legislative council in January 1994, the economy had grown more than 10 per cent since 1989, surpassing Indonesia's national average rate of growth. Progress had been made notably in agriculture, industry, trade and service. 29/

51. Official agricultural statistics indicate that food crop production has expanded considerably with an output of 292,392 tons and a harvest area of 127,701 hectares as compared to 157,460 tons with a harvest area of 86,012 hectares in 1989. Food crops include rice, corn, ground nuts, soybeans, cassava and vegetables. 30/

52. Indonesia is continuing to carry out various development plans, particularly the construction of roads, bridges and schools. In March 1994, the "Governor" said that the Government of Indonesia had spent over 2 trillion rupiahs on development in East Timor (since 1975). 31/ In 1994, it intended to allocate 624 million rupiahs for the first phase of a three-year project to improve 312 underdeveloped villages which would cost 18.7 billion rupiahs over the three-year period. 32/ Nevertheless, East Timor was still the "poorest of Indonesia's 27 provinces". About 82 per cent of the population live in poverty 33/ and about 70 per cent of the population under 30 years of age is unemployed. 34/

53. In 1993, 10 Indonesian companies undertook to invest a total of 232,642,527,000 rupiahs in East Timor, but by the end of the year only two of them had started operating. The 10 investors would employ a total of 24,263 people when their enterprises are fully operational. 35/

54. The State-owned electricity company intends to install electricity in at least 20 more villages in East Timor during 1994-95. Currently about 25 per cent of the 442 villages in East Timor have electric power. 36/

55. There are 3,767 kilometres of roads in East Timor of which 1,716 kilometres are asphalted. 37/

VI. HEALTH AND EDUCATION

56. As previously reported, according to the Indonesian Government, since 1975 the number of hospitals in East Timor increased from 2 to 10 and the number of doctors from 3 to 104 (see A/AC.109/1154, para. 7). There were approximately 2,000 health care professionals in East Timor working in more than 200 facilities. Sanitation programmes to improve health conditions were also being undertaken. Hundreds of small reservoirs to collect rain water were dug and the drilling of wells was being undertaken in order to provide potable drinking water for the population. Also, child, mother and family welfare improvement programmes were being started in cooperation with UNICEF.

57. Schooling is available from kindergarten through high school. In 1992/93, there were 37 kindergartens with 2,066 students, 612 elementary schools with 101,935 students, 101 intermediate schools with 22,122 students, and 34 high schools with 11,447 students. Vocational training at the high school level is also available. In 1992/93, 3,376 students were studying economics; 964, technology; 342, family welfare; and 268, agricultural technology. 38/

Notes

1/ World Population Prospects, 1990 (United Nations publication ST/ESA/SER.A/120, Sales No. E.91.XIII.4), p. 140.

2/ For details, see corresponding sections of the previous working papers contained in documents A/AC.109/L.1328, A/AC.109/623, 663, 715, 747, 783, 836, 871, 919, 961, 1001, 1115, and 1154.

3/ See General Assembly resolutions 1699 (XVI), 1807 (XVII), 1913 (XVIII), 2107 (XX), 2184 (XXI), 2395 (XXIII), 2507 (XXIV), 2707 (XXV), 2795 (XXVI), 2918 (XXVII), 3113 (XXVIII), 3294 (XXIX), 3485 (XXX) and 31/53, relating to the question of Territories under Portuguese administration, including East Timor; see also Assembly resolutions 32/34, 33/39, 34/40, 35/27, 36/50 and 37/30 on the question of East Timor.

4/ General Assembly decisions 38/402, 39/402, 40/402 and 43/402; see also A/41/PV.3, A/44/PV.3, A/45/PV.3, decision 46/402, A/47/PV.3 and A/48/130.

5/ See A/35/233, A/36/160, A/37/113, A/38/125, A/39/136, A/40/159, A/41/190, A/42/171, A/43/219, A/44/262, A/45/172, A/46/131, A/47/189, A/48/130 and A/49/184. Owing to lack of information from the administering Power, the information contained in the present paper has been derived from other sources.

6/ A/38/352, A/39/361, A/40/622, A/41/602, A/42/539, A/43/588, A/44/529, A/45/507 and A/46/456.

7/ E/CN.4/1994/2, E/CN.4/Sub.2/1993/45, chap. II.

8/ E/CN.4/1994/31, paras. 317-343.

9/ E/CN.4/1994/7, paras. 343-356.

10/ E/CN.4/1994/27, Annex II, decision no. 36/1993.

11/ E/CN.4/1994/26, paras. 260, 261 and 269.

12/ E/CN.4/1994/61.

13/ E/CN.4/1994/SR.64.

14/ SG/SM 5283, 6 May 1994.

15/ The New York Times, 15 August 1993.

16/ Reuters, 9 January 1994; The Guardian (Manchester), 11 January 1994.

17/ United States Department of State, Country Reports on Human Rights Practice for 1993, Washington, D.C., February 1994, p. 643.

18/ Reuters, 6 October 1993.

19/ The Jakarta Post, 6 October 1993.

20/ Reuters, 5 November 1993.

21/ United States, op. cit, p. 639.

22/ Reuters, 9 February 1994.

23/ Ibid., 19 February 1994.

24/ Ibid., 23 May 1994.

25/ Ibid., 24 May 1994.

26/ Le Monde, 2 June 1994

27/ Ibid.

28/ United States, op. cit, p. 641.

29/ Antara News Agency, 17 January 1994.

30/ Ibid., 30 November 1993.

31/ Ibid., 2 March 1994.

32/ Ibid., 29 December 1993.

33/ The Jakarta Post, 17 July 1993.

34/ Reuters, 19 February 1994.

35/ Antara, 7 January 1994.

36/ Ibid., 9 March 1994.

37/ Ibid., 17 January 1994.

38/ Data on education in East Timor provided by the Regional Office of the Department of Education and Culture in East Timor.